

**THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

THE LANDING, L.L.C. and BAYOU )  
BEND, L.L.C., )  
 )  
Plaintiffs, )  
 )  
v. ) Case No.: 23-cv-00377-TFM-B  
 )  
MG AFFORDABLE MASTER, LLC; )  
CTCW-ROBERTSDALE LLC; and )  
CTCW-BAYOU LA BATRE LLC, )  
 )  
Defendants. )

**JOINT MOTION FOR  
ENTRY OF CONSENT JUDGMENT**

COME NOW Plaintiffs, The Landing, L.L.C. and Bayou Bend, L.L.C., and Defendants, MG Affordable Master, LLC, CTCW-Robertsdale LLC and CTCW-Bayou Bend La Batre LLC (collectively, the “Parties”), and advise the Court that they have agreed to compromise and settle the disputes and respective claims between them in this matter. The Parties respectfully move the Court to enter the Consent Judgment attached hereto as Exhibit 1, which provides for the disposition and dismissal of this suit, with prejudice, as negotiated and agreed to by the Parties. In support of this Motion, the Parties further state and move the Court as follows:

1. This action concerns the Parties’ respective claims and entitlement to proceeds received from the sale of two apartment complexes previously owned by

Apartment Housing of Robertsdale, Ltd. (“The Landing Partnership”) and Apartment Housing of Bayou La Batre, Ltd. (the “Bayou Bend Partnership,” and together with The Landing Partnership, the “Partnerships”).

2. Previously, upon the joint motion and stipulation of the Parties, pursuant to Federal Rule of Civil Procedure 67 and 28 U.S.C. §§ 2041-2042, the Court ordered that the proceeds from the sales of the apartment complexes owned by the Partnerships be deposited into the registry of the Court and into an interest-bearing account. More specifically, the Court ordered that (a) \$2,481,026.97 be deposited into the Court’s registry in connection with the sale of the apartments owned by The Landing Partnership (Doc. 18) and (b) \$890,168.79 be deposited into the Court’s registry in connection with the sale of the apartments owned by the Bayou Bend Partnership (Docs. 22, 30).

3. The Parties have agreed to settle their disputes concerning the proceeds deposited into the Court’s registry and otherwise at issue in this action, as well as all claims, allegations, and arguments at issue in the Plaintiffs’ pending motions (Docs. 72 and 91), and they have negotiated and agreed to the distribution of the disputed proceeds and other amounts among themselves.

4. Accordingly, as part of their settlement, the Parties respectfully ask that the Court return the proceeds held in the Court’s registry so that Plaintiffs can distribute them in accordance with the Parties’ settlement agreement.

5. In addition, as part of their settlement, the Parties respectfully ask that the Court vacate the Report and Recommendation (Doc. 64) issued by Magistrate Judge Sonja F. Bivins and the Memorandum Opinion and Order (Doc. 70) adopting the Report and Recommendation issued by the Court. The remaining terms of the Parties' settlement agreement are not contingent on the Court's vacation of the Report and Recommendation and Memorandum Opinion and Order adopting it, and should the Court decline to vacate the Report and Recommendation and the Memorandum Opinion and Order adopting it, the Parties ask that the Court grant all other relief requested herein and enter the remainder of the proposed Consent Judgment.

6. Finally, in light of the Parties' settlement agreement, the Parties ask that the Court dismiss this action with prejudice and take no further action on Plaintiffs' pending motions.

Respectfully submitted,

*/s/ Jade E. Sipes (w/permission)*

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JADE E. SIPES

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing has been served upon the following counsel of record by electronically filing the foregoing with the Clerk of Court using its electronic filing system, on November 12, 2025:

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/s/ J. Evans Bailey